



May 24, 2017

**VIA UPS**

Mr. Sandeep Burman  
Supervisor, Site Remediation and  
Redevelopment Section  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St. Paul, MN 55155-4194

RE: St. Louis Park Solvent Plume Site Accusations

Dear Mr. Burman:

We represent two companies that the Minnesota Pollution Control Agency (MPCA) has asserted are "Responsible Persons" involving a site located at 6714 Walker Street in St. Louis Park, Minnesota. Our clients, on whose behalf we submit this letter, believe the MPCA, through questionable environmental science, has mischaracterized that site's role in contributing to the so-called "St. Louis Park Plume" and has inappropriately and unjustifiably publicly associated our clients and other companies with environmental contamination in the water supplies of St. Louis Park and Edina. The MPCA's analysis of these issues is seriously flawed, and we think it likely has missed at least one obvious significant source of volatile organic compounds (VOCs) and their constituents. Although MPCA Site Remediation staff is likely well intentioned, a Preliminary Assessment regarding the above contamination the MPCA submitted to the U.S. Environmental Protection Agency (USEPA) suffers from prematurity, lack of adequate data and lack of adherence to proper groundwater modeling protocols.

The MPCA sent this Preliminary Assessment to USEPA in 2016. This "PA" document supposedly shows a "St. Louis Park Solvent Plume" of breakdown products of chlorinated solvents that is over three miles in extent. Its alleged origin is a specific neighborhood near the Reilly Tar Superfund Site in St. Louis Park. Our clients have had the PA analyzed by a highly reputable and capable environmental consulting firm, GHD. As the enclosed critique by GHD shows, the PA is full of problems and results in too many unasked and unanswered questions to justify the depiction of groundwater flows it contains, much less support accusations regarding specific companies or their alleged former properties as sources of the Plume's contamination. It should be withdrawn because of its dangerous undocumented contentions and capacity to sew public health alarm and libel our clients.

Here are just a few examples of problems we see with the Preliminary Assessment, each of which GHD expounds on in the enclosed critique:

- Even though the Reilly Tar Superfund Site is shown to be at the point of origin of the Plume, the PA fails to consider Reilly Tar's historic operations as a likely source of the Plume. The Reilly Tar Site is home to two very deep wells that were used for decades to dispose of waste from the Reilly Tar operations. One of the wells may even precede Reilly Tar and go back to a period when another manufacturer owned and operated the property involved in the Site. Chlorinated solvent-related compounds have been detected in tests of the Reilly Tar deep wells. Yet, incredibly, MPCA's PA does not identify the Reilly Tar operation as a suspected source of the St. Louis Park or Edina contamination.
- The PA implies that potential risk via ingestion is fairly high because 254 domestic supply wells allegedly exist within a one-mile radius of the suspected neighborhood of origin. Curiously, a good many of those wells are actually *up-gradient* from the alleged source area. Additionally, the PA does not confirm if these locations actually use their wells for potable water by comparing the well locations with municipal water records. Information from the Minnesota Department of Health suggests no more than a dozen of these wells are in use, and none are believed to be in use for human ingestion.
- The PA lacks a conceptual site model that identifies how the sources of contamination are connected to the receptors. In particular, the PA fails to explain how it is that shallow VOC contamination in the alleged "main source area" bypasses two aquitards to reach the deeper Prairie du Chien Group and Jordan Sandstone aquifers that serve as the St. Louis Park and Edina water sources and then migrates contrary to the regional groundwater flow to the municipal well field.
- The PA fails to acknowledge or explain how compounds of concern that are not present in the "main source area"—such as 1,4-dioxane—have nevertheless been detected in the municipal wells.

Given these glaring flaws, prematurity of assertions admitted in the document itself (e.g. "there is not sufficient data available to characterize the potential for human health or environmental exposure", PA at p.12) and other less than thorough aspects of the PA, our clients demand that the MPCA immediately withdraw the PA from USEPA consideration.

Our clients understand and support efforts to investigate the sources of contamination identified at the Edina and St. Louis Park municipal wells.



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Those efforts, however, must be technically sound and conform to standards the MPCA itself demands of any similar investigation. Not only do premature and unsupported allegations that strive to bend limited data to pre-defined narratives regarding contamination sources not serve the public interest, they waste important and limited agency money and resources on efforts to find scapegoats while ignoring other, more credible sources whose remediation would actually address ongoing contamination issues at the municipal wells.

We respectfully request the opportunity to meet and work directly with you to discuss this matter. We are simultaneously asking USEPA Region 5 to pause any expenditures of funds to chase after specific "sources" identified in the PA due to the many technical limitations we have identified in the PA. Our clients would like to be a part of a community-wide solution, but they will fiercely defend against any further attempts to unfairly and inappropriately name them and to jump to unsupported assertions of responsibility that could surely damage them unfairly.

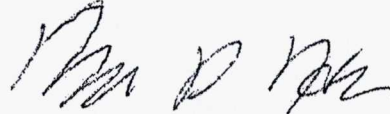
Sincerely,

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cc: Carmen Netten, Esq.